IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 681 OF 2006

Mr. Ravi Sitaram Sawant and Ors. ... Petitioners

Vs.

Additional Collector,
Enchroachment Re-development
Department and Ors. ... Respondents

Mr. Deepak Chitnis for Petitioner.

Mr. M. More, A.G.P. for R. Nos. 1, 3 and 4.

Mr. G.D. Utangale R. No. 2.

Mr. C.P. Deogirikar for R. NOs. 5 and 6.

**CORAM: F.I. REBELLO &**
**MRS.V.K.TAHILRAMANI,JJ.**
**DATE : 19TH JUNE, 2006**

P.C.:

. This Petition pertains to S.R.A. scheme in respect of the part of area admeasurng 1945 sq. mtrs on C.T.S. No. 249, Taluka Andheri. It is not necessary to set out the facts in detail.

. The competent authority had forwarded Annexure 2 containing the list of 88 name. On verification, 52 have been held eligible out of those 48 persons have given their consent. It is on this basis that L.O.I. was issued in favour of Respondent No. 5. The Respondent No. 6 has been appointed as developer.

. It is the case of the Petitioner that in fact

there is list of 104 names as per the report of the Collector. It is pointed out factually from the said land, there are about 130 structures. For the order tobe passed, we do not propose to go into that controversy. The ends of justice will be met considering that the S.R.A. scheme has already been sanctioned, if the following directions are issued :

(1) It will be open amongst others to Petitioners and others who have been left out to apply to the Collector (Encroachment) Western Suburbs for inclusion of their names in Anexure 2. If they are held eligible and their names are included in Annexure 2, the S.R.A. authorities to verify their claim as to the eligibility.

(2) In so far as persons who have not applied, to apply within the period of two weeks from today to the Additional Collector and the Additional Collector thereafter to dispose of the same within six weeks thereafter. If there are already applications pending before the Additional Collector, they will be disposed of along with the applications now been moved at any rate not latter than six weeks on the expiry of two weeks from today.

(3) In the event, any appeals are pending, the

appellate authority to dispose of the appeal at any rate not later than expiry of six weeks from today.

(4) In the event, any of the applicants/appellants are found eligible they will be entitled to membership of the Society namely Gavdevi Cooperative Housing Society and consequently for premises of 225 sq. ft.

**(F.I.REBELLO, J.)**

**(MRS.V.K.TAHILRAMANI,J.)**